

## Meeting #26 — July 14

At a regular meeting (#1) of the Madison County Board of Supervisors on July 14<sup>th</sup>, 2020 at 4:00PM at the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT      R. Clay Jackson, Chair  
                 Charlotte Hoffman, Vice-Chair  
                 Kevin McGhee, Member  
                 Amber Foster, Member  
                 Carty Yowell, Member  
                 Jack Hobbs, County Administrator  
                 Sean Gregg, County Attorney  
                 Alan Berry, Acting Clerk

### Call to Order, Pledge of Allegiance & Moment of Silence

### Determine Presence of a Quorum / Adopt Agenda

All members are present, a quorum is established.

Supervisor Foster moved to adopt the agenda as presented, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)*

### Public Comment

Joe May: Requested that the Board open up the schools because of the strains currently being placed on parents and teachers. Also posited that he would be interested in seeing what the Board would do about the Confederate Veterans Memorial statue.

Nick McDowell: Requested that the Board turn Hoover Ridge into something user-friendly and comparable to the parks in Culpeper that would draw members of the community to it.

### Supervisor Comments:

- *In response to the first public comment, Chairman Jackson announced that the schools had come to a decision the previous night and that Mr. Penn Holler would speak in more detail on it later on in the meeting.*

### Special Appearances

#### 1. Consent Agenda

The Board reviewed a proposed consent agenda as follows:

- A. Minutes from the June 23, 2020 Meeting
- B. Minutes from the July 1, 2020 Meeting
- C. Supplement# 20-56 – PRA Tractor Contribution \$20,000.00 - 200714
- D. Supplement# 20-57 – Clerk of Circuit Court to Circuit Court transfer for furniture \$280.44
- E. Supplement# 20-58 – Assigning FY20 Expenses to CARES Act funding \$70,542.62
- F. Supplement# 20-59—Madison Fire Company Additional State Pass Through \$2,756.00
- G. Supplement# 20-60 – LODA Cost Overage \$2,092.00
- H. Supplement# 21-03 –Building Official DHCD iPad Grant \$2,000.00

Supervisor Yowell moved to adopt the consent agenda as presented, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)*

### Constitutional Officers, County Departments, Committees & Organizations

**Treasurer:** Ms. Murray reported to the Board on collections for the last 3 years:

- For 2019, they have collected 97.76% of taxes (2.24% remains uncollected)
- For 2018, they have collected 98.3% of taxes (1.7% remains uncollected)
- For 2017, they have collected 99.15% of taxes (.85% remains uncollected)

Ms. Murray noted that previous year tax collections used to be around 4% and that the Treasurer's office has managed to reduce this number significantly.

**EMS:** Mr. Hillstrom informed the Board that EMS was given a 50/50 RSAF grant for video laryngoscopes and that they did not get the award for the response vehicle they had been seeking to acquire.

**Emergency Services:** Mr. Sherer announced that he was working on CARES funding with the County Administrator. He is also working to acquire more PPE supplies for the County but told the Board that first responders have what they need. He informed the Board that there will be a mass testing event for the coronavirus on Saturday at the Madison County High School. This testing event will not be doing antibody tests, only positive and negative infection tests.

Supervisor Comments:

- *Chairman Jackson commented that we have a good supply of PPE materials and that Ms. Louk would need some—Ms. Louk then informed the Chairman that she had received what she needed from Facilities. It was recommended that anyone who was in need of PPE supplies to go to Mr. Sherer or Mr. Berry.*

**Emergency Communications:** Mr. Gordon informed that Next Gen 911 project was continuing as expected. The radio system project is also proceeding as planned, but they are still looking to nail down the final site.

Supervisor Comments:

- *Supervisor Yowell informed Brian that the tower at Graves' may be used in lieu of the one currently being sought if things don't work out with the site being pursued currently.*

**Facilities:** Mr. Berry informed the Board that Facilities had finished the Courthouse project. Currently, they are still working on upgrading the computer system at the courthouse and are installing cameras.

Supervisor Comments:

- *Ms. Hoffman said that Roger had done a very good job on the courthouse project.*

**Commonwealth's Attorney:** Ms. Berry informed the Board that her department is handling a large amount of gun permits. It is in the works that Madison will tag-along to the drug court in Orange. She will be meeting with Ms. Louk, the judges, and other interested parties next week to return to jury trials. She is also working with Bruce to get Wi-Fi installed in the courthouses; money will be used from her office's budget from the previous year to pay for the project. She currently has three quotes on the cost of installation.

Ms. Berry also stated that she and possibly the other Constitutional Officers were disappointed with how the Board handled the raises for EMS, Dispatch, and the Sheriff. She noted that the County was supposed to be a team and that everyone remained open despite the pandemic. She requested that the Board give raises to the small departments as well as the big departments.

**Commissioner of the Revenue:** Mr. Daniel reported office is currently working on personal property accounts. The current software his office uses has constraints that makes things move a bit slower. He noted that he agreed with Clarissa and hoped that the Board saw the County's workers all as one big team.

**Clerk of Court:** Ms. Louk noted that her department, like the Commonwealth's Attorney, was busy with gun-permits. Her office also handled 167 land records and 12 probates, seeing around 50 people per day. Agreeing with the Commonwealth's Attorney on the Board's decision to give raises to EMS, Dispatch, and the Sheriff's Department, she noted that her department has not missed a day and that her team was disappointed that some people were getting raises while others were not.

**Tourism & Economic Development:** Ms. Gardner reported that there were 1,000 more hits to the website. She has been working on business retention and grants for the region. Rapidan Blueway has more approvals and will have more information in September. Taste of the Mountains is canceled. There will not be a phase 4 of the COVID response, rather, phase 3 will instead be modified. The blue barn on Route 29 is only dealing with contractors. The Small Business Development Center will be merged in with Central Virginia and Fairfax as of January 1<sup>st</sup>.

Supervisor Comments:

- *Supervisor Yowell asked for clarification as to where the blue barn was located.*

**Finance:** Ms. Costello began by talking about electronic meetings continuing through the end of the calendar year. She mentioned Mr. Livingston's availability and need for backup for IT so as not to overload him with work. Since March, Mr.

Livingston has been using his own personal equipment and software to edit videos and either needs reimbursement or the County needs to buy the equipment they need

Ms. Costello then requested that the Board give more notice for large-scale payroll changes as they are very time-intensive for the department. Following this, she informed the Board that, because they appropriated only half of the budget, they will only have around \$138,000 (\$25,000 of which has been given to the rescue squad) in contingency until they appropriate the rest of the budget. To pay for the public safety personnel pay changes of around \$78,000, she recommended that the Board take the necessary money out of fund-balance rather than contingency. She noted that a resignation in the Sheriff's Office may have effects on the pay scale throughout the department. The issue of the use of her accrued leave time was mentioned.

Supervisor Comments:

- *Supervisor Yowell noted that the Board doesn't have anything to do with vacation time and that she should go through the proper channels (i.e. by sending a request form to the County Administrator for his approval) prior to taking vacation.*

The Chairman of the School Board, Mr. Penn Holler, spoke about the school's reopening plan. This includes:

- Daily screenings
- Mask requirements
- Sanitation
- Bus Changes
- Reduced class sizes

The plan is a mix of face-to-face learning and remote learning with the lower ages having more face-to-face time while the older grades will have more remote learning. Wednesdays will have no students on campus and will serve as a professional development day where teachers can set up plans and online lessons. If students do not have steady access to the internet, the schools will download material to their devices for distance learning. Mr. Penn Holler noted that the current plan depends on them staying in Phase 3 of reopening. He also noted that he disliked that, under the adopted plan, 12<sup>th</sup> graders would only have 1 day of face-to-face with teachers.

Mr. Mike Fisher asked if devices would be provided for homeschoolers or students in private schools. Mr. Penn Holler replied that only students being educated by them would receive devices. As homeschoolers opted out of the system, they will not be provided with devices. Private school students will receive aid from their own schools. Mr. Fisher then spoke about the Planning Commission meeting and its main focal point, the Crescere project. He recommended that people read the Madison County Eagle for good information on the process of the project. They will also be working on the Planning Commission bylaws at the meeting. There have been two solar inquiries for a farm.

The Sheriff let the Board know through GoToMeeting that the expected salary change is the result of a promotion to the position that the officer resigned from.

Supervisor Comments:

- *Chairman Jackson said that the Board apologizes that they cannot cater to everybody in the form of pay raises that were recently approved for EMS, Dispatch, and the Sheriff's Department. The Board appreciate the work that all staff does. The Board's decision was not meant to cause inequity or hurt anyone's feelings. He said that they can put it back on the agenda and talk about it again if requested.*
- *Supervisor Foster stated that she would like to know how much a pay raise for all employees would cost.*

Ms. Costello expressed her concern that the Board was undoing much of her work and that the state may institute funding cuts later on down the line that may interact with pay increase and make implementing the second half of the pay raises difficult.

Supervisor Comments:

- *Chairman Jackson noted that the Board can't predict the future in relation to the pay study and noted the Board are not professional politicians.*
- *Mr. Yowell said that his vote was based on his past as a defense contractor. He noted that hazard pay would have been difficult to deal with and that the Board's decision was the easiest way to do things. He also said that he has continued to go to work during the pandemic and does not feel deserving of hazard pay like the departments given raises.*

## **Old Business**

### **2. Report: Amendments to the Random Drug Screen Policy (Hobbs)**

The County Attorney discussed expanding the Random Drug Screen Policy to everyone and recommended against applying it to all employees as it would open the County up to possible Constitutional setbacks. He suggested avoiding uncharted territory that would come with an all-employee random drug screening policy.

The County Administrator said his recommendation would be amended and circulated to Public Safety personnel for review before bringing it back to the Board on August 11.

### **3. Report: Codification Project Status (Hobbs)**

The Municode draft of the new County Code was presented. The County Administrator advised that the project is not finished and is still being reviewed for accuracy and completion. Once that is done, adopting and adjusting ordinances will be presented to the Board for consideration. It was noted that the effort to date was in identifying all existing ordinances and adjusting per obvious problems and filling reviewing gaps as appropriate. The strategy of limiting the number of printed “hard copies” since is and will be available through the County website was explained.

### **4. Report: Status of CARES Act Funding Use (Hobbs)**

The County Administrator presented a triaged list of propose uses of CARES Act monies.

Supervisor Comments:

- *Chairman Jackson stated that the Sheriff would like to add body cameras to the list of potential CARES used and asked if they could be tacked on to COVID. The Sheriff explained that Louisa County is justifying such an expenditure by classifying it as a contact tracing. Chairman Jackson then stated that the computer for IT would need to be tacked onto CARES as well.*
  - *He then reported that the schools wish to take the T-Mobile hotspot request off the list*
  - *In okaying requests for CARES funding, Chairman Jackson stated that certain groups would need to provide better receipts for reimbursement and that organizations like the Boys and Girls Club would need to provide more details and metrics on what they plan to do with the money if they are granted any*
  - *4-H reported that the Board didn't have to grant them the \$10,000 but would probably end up selling the area they host the Summer Camp at without any funding. The Board agreed to consider a \$7,000 grant to the 4-H center.*

Mr. Gregg asked if the Board would need a public hearing for these allocations. Ms. Costello said that a hearing would be necessary because it would be a budget adjustment and the sum of money is over a million dollars. Similarly, the numbers for items would need to be more accurate than what they are now for proper appropriation.

Supervisor Comments:

- *Chairman Jackson noted that requests must be better refined before the funding can be authorized.*

Ms. Costello told the Board that she has concerns about giving CARES money to areas outside of the County's umbrella. This is because the accounting records are different for these kinds of things and the County needs to monitor what these third parties are doing with these monies (subrecipient monitoring).

Supervisor Comments:

- *Chairman Jackson asked the County Administrator how land acquisition would be appropriate for CARES funding. The County Administrator explained that the land would be used to develop a radio system that would be used to expand emergency communications around the County. Mr. Gordon said they have not approached anyone about purchasing property and that they may need to start approaching people.*

The Board agreed to seek CARES funding for the following:

- The Quick Response Vehicle for EMS
- Computers and Mounts to go in the ambulances for EMS
- An ambulance shelter
- A cellular antenna and modems for rural telemedicine
- Extra money for the transfer station in anticipation of increased solid waste
- UV lights in HVAC air handler at 410 N. Main Street
- Building footprints/structures to assist 911 and dispatch in locating structures at sites
- Sneeze guard glazing in renovated area of 410 N. Main Street
- Laptops for the Commissioner of the Revenue for remote training
- Uniforms for EMS
- Replacing the brochure rack at the visitor's center

- Laptop for the Sheriff

Ms. Costello noted that the Juvenile Detention Center has other sources of funding they could draw from instead of CARES and that they have fund-balance to draw from. Similarly, the numbers currently in use are an estimate rather than money the center has directly asked for.

The Board agreed that the following may be potential uses for future CARES funding:

- True-up expenses with the regional jail
- True-up expenses with the Juvenile Detention Center
- Expenses above direct CARES grants with CSB

The Sheriff informed the Board that his request for gas masks would be nice but are not needed. A request for body cameras totaling \$87,000 needed to be added to the list of potential uses for CARES funding.

## **New Business**

### **5. Discussion: Economic Incentive Grant Program (Gardner)**

Ms. Gardner spoke about the small business grant program (\$100,000 to \$200,000) she is pursuing for CARES and what the money could be put towards if funded through CARES. The application process for small business relief will be online via the LenderVend portal and the amount businesses receive will be capped by the number of full-time equivalent employees they have. CIC will work with the County to set up the portal and vet applications to the program,

The grant money received may be used for expenditure increase due to COVID, rent/mortgage, insurance, payroll, equipment and utilities, and other business critical operating expenses such as e-commerce, website creation, and PPE. The grant money may not be used for expenses incurred before March 1<sup>st</sup>. To be eligible for this money, applicants must meet the following criteria:

- Be established and have one or more locations in the Town of Madison or Madison County, Virginia, including the principle place of business
- Must have less than 50 full-time equivalent employees across all locations
- Have been in operation for over one year
- They must demonstrate a 25% loss
- Must be a for-profit business
- Must complete the online application form with true and accurate information

Banks and financial institutions, franchises (except for those locally owned and operated), and non-profits. Preference will be given to hospitality and entertainment, retail and administrative support services, and tourism venues.

#### **Supervisor Comments:**

- *Supervisor Yowell asked if the money will not exceed the \$200,000 depending on the number of applications received for the money and whether or not businesses could use the money to replace revenue. He was informed that it was an estimate and that the money is not replacing revenue, but rather that businesses must show that they have experienced revenue loss to get the grant.*
- *Supervisor Yowell also asked about non-profits not being eligible for the grant. Ms. Gardner responded that the grant is tiered and that she would be open to doing a grant for non-profits as well.*

The Board decided to hold back on a decision to see a more expansive and accurate list of numbers in August.

### **6. Discussion: IDA Member Recruitment (Hobbs)**

The County Administrator talked about the new form IDA members would need to fill out regarding their conflicts of interest and that 4 members have already resigned with 2 more possible resignations. His recommendation was to put an ad in the paper to consider at a later Board meeting. He also suggested Board members look to nominate certain individuals.

#### **Supervisor Comments:**

- *Chairman Jackson recommended that the previous members be sent something thanking them for their service.*

### **7. Report: Status of Financial Software System Implementation (Costello)**

Of the four steps recommended to the County by ThincIT, the County has completed or is in the process of completing the first three:

- Desktop replacing and Windows patching
- Hiring a full-time IT resource

- Moving from an Exchange server towards a cloud-based IT architecture

The final step, to procure a modern ERP system to enhance efficiency and effectiveness throughout the County, still needs to be dealt with and ThincIT proposed a two-step process to complete this final step:

- Software identification and evaluation
- Third-party independent project assurance during implementation

Four software vendors were invited to give overviews to the Finance Department: 1 specialized solution and 3 complete solutions. Cost estimates are still being revised for the project and will depend on what selections the County chooses to make a part of the project.

Supervisor Comments:

- *Supervisor Yowell said that the working group for the IT project doesn't need to defend themselves as to the project's current status as the process in other Counties looks to have taken a significant amount of time as well.*
- *Supervisor Yowell said that the decision would have to wait until August.*
- *Chairman Jackson suggested that the Board empower the committee to make a decision with the ThincIT contract. The Board agreed to empower the committee.*

Supervisor McGhee moved to approve the ThincIT contract pending the working group committee's input, seconded by Supervisor Foster. ***Aye: Jackson, Hoffman, McGhee, Foster, Nay: (0) Supervisor Yowell abstains.***

The County Administrator spoke about the work-plan for the Rappahannock Rapidan Committee Services Board. Normally, they would need to get approval from the Board on their work-plan but this requirement has been removed in light of the pandemic. They are still willing to come and present to the Board on what they plan to do however. The Board decided to receive a presentation from them later in August via GoToMeeting.

Supervisor Comments:

- *Chairman Jackson stated that citizens wanted all of the emails for the Crescere project to be read into the record. He proposed that Board members take turns reading the emails but decided to volunteer to read them himself at the suggestion of the County Attorney.*
- *Supervisor Yowell asked if it was necessary to read the emails at both the public hearing and at the planning commission meeting. Sean Gregg stated that it was not necessary and Chairman Jackson elaborated to say that the requests had been made for the emails to be read at the public hearing.*

Chairman Jackson then read comments on GoToMeeting:

- Ms. Berry asked about opening the old elementary school where the school board office is. She also stated that most of the cost for an IT upgrade is in adapting processes, transferring data, and training people—usually by a factor of 10 in cost.

Supervisor Comments:

- *Chairman Jackson stated that the School Board is planning on using the old elementary school building for classes but that they did not bring it up in the last meeting.*

## **Information/Correspondence**

## **Public Comment**

## **8. Closed Session: Negotiations & Personnel**

Supervisor Hoffman made a motion that the Board convene in a closed session pursuant to Virginia Code Sections:

1. Section 2.2-3711(A)(29): discussion of the terms or scope of a public contract involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board related to negotiations with the Madison County Rescue Squad, and
2. Section 2.2-3711(A)(1) for discussion on the performance of the County Administrator and County Attorney.

The motion was seconded by Supervisor McGhee and carried 5-0 according to the following vote: ***Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)***

Supervisor Hoffman made a motion that the Board re-convene in an open session that was seconded by Supervisor Foster and carried 5-0 according to the following vote: ***Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)***

Supervisor Hoffman made a motion that the Board certify by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(29) only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting. The motion was seconded by Supervisor McGhee and carried 5-0 on the following roll call vote: **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0)**

#### **Adjournment**

Supervisor Foster motioned to adjourn and continue the meeting at 6:30PM on July 15<sup>th</sup>, 2020, seconded by Supervisor Hoffman. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell, Nay: (0).**

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**R. Clay Jackson, Chairman**  
**Madison County Board of Supervisors**

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**Clerk of the Board of the Madison County Board of Supervisors**  
**Copies: Board of Supervisors, County Attorney & Constitutional Officers**  
**Adopted on August 11, 2020**



**Agenda**  
**Board of Supervisors Meeting**  
**Tuesday, July 14, 2020 at 4:00 PM**  
**County Administration Building, Auditorium**  
**414 N. Main Street, Madison, Virginia 22727**

**Call to Order, Pledge of Allegiance & Moment of Silence**  
**Determine Presence of a Quorum / Adopt Agenda**

**Public Comment**

**Special Appearances**

**Consent Agenda**

**1. Consideration: Consent Agenda**

- A. Minutes from the June 23, 2020 Meeting**
- B. Minutes from the July 1, 2020 Meeting**
- C. Supplement# 20-56 – PRA Tractor Contribution \$20,000.00 – 200714**
- D. Supplement# 20-57 – Clerk of Circuit Court to Circuit Court transfer for furniture \$280.44**
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**Constitutional Officers, County Departments, Committees & Organizations**

**Old Business**

- 2. Report: Amendments to the Random Drug Screen Policy (Hobbs)*
- 3. Report: Codification Project Status (Hobbs)*
- 4. Report: Status of CARES Act Funding Use (Hobbs)*

*New Business*

- 5. Discussion: Economic Incentive Grant Program (Gardner)*
- 6. Discussion: IDA Member Recruitment (Hobbs)*
- 7. Report: Status of Financial Software System Implementation (Costello)*

*Information/Correspondence*

*Public Comment*

*Closed Session*

- 8. Closed Session: Negotiations & Personnel*

*Adjourn (to July 15, 2020 at 6:30 PM)*